

**ENTERED**

May 16, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

ARMANDO VILLALOBOS,  
Petitioner,

VS.

UNITED STATES OF AMERICA,  
Respondent.

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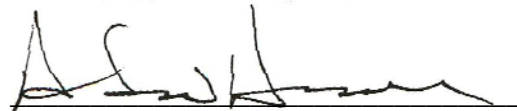
CIVIL ACTION NO. B-17-090  
Criminal No. B-12-374-1

**ORDER**

On March 27, 2018, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 28]. Petitioner has objected [Doc. No. 31] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Magistrate Judge's Report and Recommendation. Therefore, Petitioner Armando Villalobos' Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed as untimely filed and procedurally defaulted, or alternatively, denied as meritless. The issuance of a Certificate of Appealability is denied.

Signed this 16<sup>th</sup> day of May, 2018.



Andrew S. Hanen  
United States District Judge